



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

February 06, 2025

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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11	Memo from Marta Lugo, Deputy Administrative Officer, to the board, dated 01/27/26, providing a list of anticipated community events in 2026.
16	Memo from Aaron Baker, Chief Operating Officer-Water Utility, to the board, dated 01/30/26, providing an annual drinking water regulatory update.
	<u>INCOMING BOARD CORRESPONDENCE</u>
21	Board Correspondence Weekly Report: 02/03/26
22	Email from Alex Tara to the board, dated 01/28/26, inquiring about vegetation research at reservoirs. BC-26-0007
23	Email from John Kenevey to Aaron Baker (Copied to director's Estremera and Eisenberg) dated 01/30/26, thanking him for taking the time to meet at the Granada Way Gate of the Rinconada Treatment Plant. BC-26-0008
	<u>OUTGOING BOARD CORRESPONDENCE: None</u>

CEO BULLETIN



To: Board of Directors
From: Melanie Richardson, Interim CEO

Weeks of January 23, 2026 – February 5, 2026

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

Item	IN THIS ISSUE
<u>1</u>	Commercial, Industrial, and Institutional (CII) Water-Use Efficiency Audit Training for Water Agency Staff
<u>2</u>	Recurring Report on Personnel Vacancies
<u>3</u>	San Francisquito Creek Multi-Agency Coordination Tabletop Exercise 1/13/26
<u>4</u>	Water Rights Reports Submitted in Compliance with State Water Resources Control Board Deadline

1. Commercial, Industrial, and Institutional (CII) Water-Use Efficiency Audit Training for Water Agency Staff

In partnership with the California Water Efficiency Partnership (CalWEP) and Maddaus Water Management, Valley Water sponsored a two-day Commercial, Industrial, and Institutional (CII) Water-Use Efficiency Audit Training on September 3-4, 2025, in Sunnyvale. This was the first training of its kind held in Northern California. It was designed to support compliance with State water-use efficiency regulations while strengthening conservation outcomes in the CII sector.

The training supported retailer implementation of the *Making Conservation a California Way of Life* regulatory framework (Assembly Bill 1668/Senate Bill 606). Reporting for these requirements began in January 2025, and retailers may document their participation in this training for future reporting purposes. The training combined classroom instruction and hands-on field audits to teach the conservation staff of Valley Water and its water retailers in engaging effectively with CII customers. Topics included identifying high-return efficiency opportunities, improving leak detection, and evaluating the return on investment of CII efficiency projects. Throughout, strategies were explored for securing decision-maker buy-in to increase the likelihood of successful conservation outcomes.

A total of **23 participants** attended, including Valley Water staff and staff from Valley Water retailers. This effort aligns with Valley Water's Water Conservation Guiding Principles (Resolution No. 23-52) by supporting regional collaboration, building workforce capacity, and promoting cost-effective conservation in the CII sector.

For further information, please contact Kirsten Struve at (408) 630-3138.

2. Recurring Report on Personnel Vacancies

Valley Water strives to attract, develop, and retain a talented and diverse workforce. Our employees come from diverse cultural and professional backgrounds. Valley Water promotes high performance and equal employment opportunities.

Human Resources provides a monthly report on staffing levels and vacancies per the Board's request. The following information is effective as of December 31, 2025.

Valley Water Staffing Levels:

876 - Total Positions

835 - Number of positions filled

41 - Total Vacant Unpaused Position Codes

4.9% - Vacancy Factor

13 - Separations and/or Retirements in December 2025

Note - The agency had 921 positions and 45 are paused.

For further information, please contact Patrice McElroy at (408) 630-3159.

3. San Francisquito Creek Multi-Agency Coordination Tabletop Exercise 1/13/26

On January 13, 2026, Valley Water, in partnership with the City of Palo Alto, hosted the annual San Francisquito Creek Multi-Agency Coordination (SFC MAC) Tabletop Exercise in Palo Alto. The exercise provided a no-fault environment for SFC MAC members to discuss a challenging inclement weather scenario characterized by uncertain storm forecasts.

The scenario, developed using National Weather Service forecast information, presented a wide range of potential precipitation outcomes. This year, a new exercise format was introduced based on the participant feedback from prior exercises that significantly increased dialogue and interaction among participants throughout the exercise.

Following the tabletop exercise, a separate priority-setting session was conducted with Public Information Officers (PIOs) and senior municipal staff.

The exercise focused on the following core areas of emergency response:

- Public Information and Warning
- Inter-Jurisdictional Coordination

More than 60 representatives from the SFC MAC and supporting agencies participated in the exercise, which included:

- City of Palo Alto
- San Francisquito Creek Joint Powers Authority
- City of Menlo Park
- Menlo Park Fire Protection District
- City of East Palo Alto
- Valley Water

- Town of Portola Valley
- California Highway Patrol
- Stanford University
- Caltrans
- Santa Clara County
- National Weather Service
- San Mateo County

The exercise was a success, given the challenging weather scenario. Without high confidence in the forecast from the National Weather Service, agencies had to make planning and resource decisions under conditions of uncertainty but with a potential of significant flooding. Participants shared details between agencies on what information is critical, and what resources would be deployed to support the response. Public information strategies were discussed. Valley Water shared its expertise in regard to flood projections based on the weather forecast scenario, as well as updated projections when the actual precipitation occurred during the exercise. Details were also provided on how Valley Water continues to assess potential flood situations, and how its Emergency Operations Center would support the SFC MAC during a similar event.

Emergency exercises are a critical component of any agency's preparedness efforts. Best practices and areas of improvement are identified in these exercises and shared with the participating agencies. Valley Water uses these exercises to validate planning and training efforts for preparedness, and to find ways to improve our agency's capability to respond and support impacted jurisdictions during emergencies.

For further information, please contact Alexander Gordon at (408) 630-2637.

4. Water Rights Reports Submitted in Compliance with State Water Resources Control Board Deadline

As outlined in Title 23 of the California Code of Regulations, the State Water Resources Control Board requires annual reports for water rights permits, licenses, registrations, and stockpond certificates. Per Senate Bill (SB) 88 and SB 155, the deadline for submittal is February 1 and the reporting period reflects the prior water year. Valley Water complied with the deadline and submitted reports for 20 licenses, 10 certificates, and one permit covering water year 2024-25, which extends from October 1, 2024, to September 30, 2025. This was done using the State's newly- implemented CalWATRS (California Water Accounting, Tracking, and Reporting System) that went live in July 2025.

Valley Water worked collaboratively and prepared the data to finalize the water rights reports for the 17 licenses and one permit at Valley Water's surface water reservoirs and stream diversions, which allow for diverting up to 227,339 acre-feet (AF) of water yearly, if available. During water year 2024-25, Valley Water put 46,978 AF of local water to beneficial use. Valley Water submitted all 18 reports for reservoirs and diversions on January 28, 2026, i.e., four days before the statutory deadline.

As reported in the past, Valley Water acquired mitigation property at Upper Penitencia Creek and Rancho Cañada de Pala in December 2014 and December 2015, respectively. These properties collectively contain a total of 14 stockponds. On December 22, 2025, Valley Water submitted water rights reports for the three licenses and 10 certificates that cover all 14 stockponds. These stockponds had been allotted water rights totaling nearly 55 AF. The beneficial use in water year 2024-25 amounted to approximately 46 AF.

Weeks of January 23, 2026 - February 5, 2026

For further information, please contact Greg Williams at (408) 630-2867.

A monthly assessment of trends in water supply and use for Santa Clara County, California

Outlook as of February 1, 2026

On January 29, 2026, the California Department of Water Resources announced an increase to the State Water Project (SWP) allocation from 10% to 30% of contract amount for 2026. Locally, there was below average rainfall in January as compared to the historical average for this month. Total storage in local reservoirs, with the exception of Anderson Reservoir, is at about the historical average level for this time of year. Treated water deliveries were below average in January, and groundwater conditions remain healthy.

Weather

- Rainfall in San José:
 - » Month of January, City of San José = 2.44 inches or 87% of historical average for this month
 - » Rainfall year total = 9.80 inches or 125% of the historical average to date (rainfall year is July 1 to June 30)
- February 2, 2026, Northern Sierra snowpack was 43% of normal for this date

Local Reservoirs

- Total February 1 storage = 41,692 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	25%	50%
Storage as % of restricted capacity (1)	66%	64%
Storage as % of the 20-year average for February 1	56%	103%

(1) Per the Federal Energy Regulatory Commission’s order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- No imported water was delivered into Calero Reservoir during January 2026
- Total estimated releases to streams (local and imported water) during January 2026 were 9,870 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 3,312 acre-feet were delivered in January
- This total is 68% of the five-year average for the month of January

Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in all the regional monitoring wells are the same as, or higher than, last month. While many of the water levels are lower relative to January 2025, all except two are the same as, or higher than, the prior five-year average for January. The end of 2026 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
January 2026 managed recharge estimate	4,800	1,400	1,600
January 2026 managed recharge as % of five-year average	80%	150%	112%
December 2025 pumping estimate	5,600	1,100	2,900
January to December 2025 pumping estimate	72,300	14,500	44,300
January to December 2025 pumping as % of five-year average	103%	110%	106%
Current index well groundwater levels compared to January 2025	1 Foot Lower	1 Foot Higher	7 Feet Lower

All volumes are in acre-feet

Imported Water

- In January (through January 31st), the SWP operated Banks pumping plant with an average daily export of 5,058 acre-feet, resulting in a total export of 156,791 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in January for the entire SWP to support the SWP allocation. Valley Water’s SWP contract provides Santa Clara County 2.5% of the total SWP contract quantity available each year
- In January (through January 31st), the Central Valley Project (CVP) operated Jones pumping plant with an average daily export of 7,101 acre-feet, resulting in a total export of 220,125 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in January for the entire CVP to support the south-of-delta CVP allocation. Valley Water’s CVP contract provides Santa Clara County 4.7% of the total CVP contract quantity available each year
- Delta flow and water quality requirements were controlling the Sacramento-San Joaquin Delta export facilities this past month. Project facilities, including delta exports, were operated to maintain the Projects’ respective flow requirements and water quality standards in the delta for the month of January

WY 2026 Imported Water Allocations	Allocation (%)	Allocation (acre-feet)	Details
SWP	30%	30,000	Allocation updated on 1/29/26
CVP	TBD	TBD	Allocation announcement expected in February
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Percent of Average for Date (as of 2/2/26)
Shasta Reservoir	80%	3,638,206	122%
Oroville Reservoir	82%	2,820,100	137%
San Luis Reservoir	78%	1,600,406	104%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	87%	304,084	2/2/26
Estimated SFPUC Deliveries	December 2025 (acre-feet)	2025 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	3,414	47,182	46,000

Conserved Water

- Saved 85,204 acre-feet in FY24 through Valley Water’s long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030, 110,000 acre-feet by 2040, and 126,000 acre-feet by 2050
- On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

Recycled Water

- Estimated January 2026 production = 710 acre-feet
- Estimated year-to-date through January = 710 acre-feet or 93% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.4 billion gallons (4,387 acre-feet) of purified water in 2025. Since the beginning of 2026, about 203 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
IBMR-25-0009	12/18/25	Eisenberg	Gibson	Lugo	How much money (if any) Valley Water paid (donation or otherwise) to the following organizations (including affiliates, sub-groups and/or parent organizations) over the past 5 years: Council on American-Islamic Relations (CAIR), American Israel Public Affairs Committee (AIPAC), National Association for the Advancement of Colored People (NAACP), and Anti-Defamation League (ADL). Have we donated or provided funds to an Asian American/AAPR/Chinese-American/Vietnamese-American/Japanese-American/Korean-American/Taiwanese-American/Philippino-American/Singaporean-American/and etc. group like this as well?	01/07/26		01/29/26 Information Only: Estimated completion date is 2/13/26

TO: Rachael Gibson, Chief of External Affairs**FROM:** Marta Lugo, Deputy
Administrative Officer**SUBJECT:** Anticipated Community Events in 2026**DATE:** January 27, 2026

The Office of Government Relations has compiled a list of anticipated community events in 2026 for the Board's reference, which is attached to this memorandum. Please note that this reflects only anticipated events and is not an exhaustive list as additional events may come up throughout the year that are new, and event dates are subject to change at any time, or cancelled altogether.

These community events provide a valuable forum in which Valley Water can engage with the Santa Clara County community on water-related issues, such as water conservation, water recycling and purification, flood preparedness, and projects in specific communities, among many others. This community outreach effort also provides an opportunity to partner with our nonprofit community stakeholders as they attract their constituencies and supporters. Many of the community events included are where we have previously hosted informational booths and achieved high visibility due to significant attendance.

For any inquiries regarding community events, please contact the Office of Government Relations.



Marta M. Lugo
Deputy Administrative Officer, Offices of Government Relations and REDI

Annual Community Events Planned for Calendar Year 2026		
Organization	Event Name	Date of Event
January		
Positive Alternative Recreation Teambuilding Impact (PARTI)	MLK Stop the Violence Event	1/17/2026
African American Community Service Agency (AACSA)	MLK Luncheon	1/19/2026
Vietnamese American Roundtable (VAR)	Lunar New Year Festival	
February		
San Jose State University	Science Extravaganza	2/6/2026
American Society of Civil Engineers	San Jose Younger Member Forum's Engineers Week- Middle School Day	2/13/2026
Office of San Jose Council District 1	Black History Month Flag Raising	2/13/2026
Cupertino Chamber of Commerce	Lunar New Year Celebration	2/19/2026
San Jose Chapter of The Links, Incorporated	Emergency Preparedness Workshop: Safety Now, Peace Later	
Asian Pacific American Leadership Institute (APALI)	Funders and Fellows Lunch for Lunar New Year	

March		
Alpha Public School	Stars of Tomorrow	3/5/2026
Sunnyvale Chamber of Commerce	Celebrate Sunnyvale	3/6/2026
Joint Venture	State of the Valley Conference	3/7/2026
WaterReuse Association	Annual WateReuse Symposium	3/8-3/11/2026
Gilroy Chamber of Commerce	Spice of Life Awards	3/15/2026
Friends of Stevens Creek Trail	State of the Creek Summit	3/26/2026
Mountain View Chamber of Commerce	Morning with the Mayor	3/28/2026
Silicon Valley Central	Mayor's Breakfast	
American Association of University Women (AAUW)	Annual Wildflower Run	
April		
Palo Alto Chamber of Commerce	Tall Tree Awards	4/16/2026
City of Milpitas	Earth Day	4/18/2026
California Native Plant Society- Santa Clara Valley Chapter	Growing Natives Garden Tour	4/18-4/19/2026
Salmonid Restoration Federation	Annual Conference	4/28-5/1/2026
Gilroy Chamber of Commerce	Legislative Summit	

May		
Mountain View Chamber of Commerce	Celebration of Leaders and Athena Awards	5/16/2026
Bay Area Council	Spring Summit	
June		
Portuguese Heritage Society of California	Dia de Portugal Festival	6/13/2026
CA/HI National Association for the Advancement of Colored People (NAACP)	Annual Legacy Hall of Fame Ceremony	
July		
Office of San Jose Council District 8	Fireworks Festival	7/4/2026
August		
San Jose Chamber of Commerce	Annual BBQ	8/20/2026
Working Partnerships	Champions for Change	
Greenbelt Alliance	Hidden Heroes of the Greenbelt	
Silicon Valley Pride	Silicon Valley Pride Parade	
Santos Family Car Show	Annual Santos Family Car Show	
September		
Morgan Hill Chamber of Commerce	Taste of Morgan Hill	9/26-9/27/2026
Mountain View Chamber of Commerce	Art and Wine Festival	
La Raza Historical Society of Santa Clara	La Raza Awards	
Happy Hollow Foundation	Hooray for Happy Hollow Event	
Green Foothills	Nature's Inspiration	
Friends of Stevens Creek Trail	Trailblazer Race	

October		
Bay Planning Coalition	Energy and Water Nexus Event	
Teatro Vision	Dia de Los Muertos Student Matinee	
California Invasive Plant Council	Cal-IPC Symposium	
Office of San Jose Council District 8	D8 Family Fall Festival	
CA/HI National Association for the Advancement of Colored People (NAACP)	State Convention	
November		
Latina Coalition of Silicon Valley	Annual Brunch	11/9/2026
La Raza Lawyers Charitable Foundation	Annual Scholarship Dinner	11/14/2026
December		
Santa Visits Alviso	Foundation Drive	



MEMORANDUM

FC 14 (03-11-25)
Page 1 of 1

TO: Board of Directors

FROM: Aaron Baker

SUBJECT: Annual Drinking Water Regulatory Update

DATE: January 30, 2026

The attached Drinking Water Regulatory Development Summary for January–December 2025 is provided for the Board’s information. Valley Water staff continuously monitors relevant state and federal drinking water regulatory developments to evaluate potential impacts on Valley Water’s operations and to inform the Board of Directors when significant regulatory changes occur.

If you have questions, please contact Sam Bogale, Treated Water Division Deputy Operating Officer at sbogale@valleywater.org or (408) 630-3505.

DocuSigned by:

Aaron Baker

1/12/2026

0257272DB38A4DC

Aaron Baker, P.E.
Chief Operating Officer
Water Utility Enterprise

Date

cc: M. Richardson, R. Chan, Water Utility Enterprise

ls/ab

Attachment 1: 2025 Annual Drinking Water Regulatory Update



VALLEY WATER ANNUAL DRINKING WATER REGULATORY UPDATE 2025

INTRODUCTION

The purpose of this regulatory roundup is to provide Valley Water's Board of Directors and Executive Leadership Team with an overview of key drinking water related regulatory developments during calendar year 2025. This summary highlights regulations and policy actions that have directly or indirectly impacted Valley Water's operations, compliance obligations, and strategic planning efforts.

OVERVIEW OF 2025 REGULATORY ACTIVITY

During calendar year 2025, no major state or federal regulations were finalized. However, several ongoing legal and policy developments – particularly those related to per- and polyfluoroalkyl substances (PFAS) and drinking water fluoridation - continued to evolve and warrant monitoring. The sections below summarize these matters, along with other relevant regulatory issues.

PFAS (“FOREVER CHEMICALS”)

In April 2024, the U.S. Environmental Protection Agency (EPA) finalized a rule establishing enforceable drinking water limits, known as Maximum Contaminant Levels (MCLs), for six PFAS compounds. None of these six PFAS have been detected in Valley Water's raw or treated surface water supplies.

Following publication of the MCLs, the American Water Works Association and the Association of Metropolitan Water Agencies (collectively, the “Associations”) filed a legal challenge to the rule with the U.S. Court of Appeals (Court). The Associations asserted that EPA did not rely on the best available science when developing the MCLs, did not adequately consider nationwide implementation costs, and raised concerns regarding the rulemaking process. In September 2025, EPA requested that the Court vacate portions of the final PFAS regulation, including the elimination of four of the six MCLs, and indicated its intent to extend the compliance deadline by two years. The litigation remains ongoing.

At the state level, the California Division of Drinking Water (DDW) periodically develops advisory Notification Levels (NLs) and Response Levels (RLs) for constituents that may adversely affect public health. These advisory levels are non-enforceable and are not subject to a formal regulatory development process. In October 2025, DDW issued new and revised NLs and RLs for four PFAS compounds.

Subsequently, on December 9, 2025, DDW issued new monitoring orders for public water systems. Under these orders, Valley Water will be required to monitor all its raw water sources for four consecutive quarters by April 2027. Valley Water staff do not anticipate any challenges in complying with the federal MCLs, or DDW's updated NLs and RLs; however, some groundwater retailers are expected to be impacted.

Fluoridation Lawsuit

In November 2016, several parties submitted a petition under the federal Toxic Substances Control Act (TSCA) requesting that the EPA ban drinking water fluoridation. After EPA denied the petition, the petitioners challenged the decision in court. In September 2024, following eight years of litigation and two trials, a federal judge in California ruled that EPA must take regulatory action to address concerns related to drinking water fluoridation.

In response, EPA filed a notice of intent to appeal the judge's decision in January 2025 and submitted its opening brief to the U.S. Court of Appeals in July 2025, seeking reversal of the ruling under TSCA. As of the end of 2025, the Court of Appeals has not issued a response.

In parallel, EPA announced in April 2025 that it would conduct a comprehensive review of the potential health effects of fluoride; however, the results of this review have not yet been released. During 2025, the States of Utah and Florida enacted bans on drinking water fluoridation. As of the end of 2025, no similar legislative efforts have been initiated in California.

CROSS CONNECTION CONTROL (CCC) UPDATED STANDARDS

CCC and backflow prevention devices protect potable water systems from contamination by potentially non-potable water sources. CCC requirements have been in place since 1987 and updated CCC standards became effective in California in July 2024. In response to these revisions, Valley Water developed and submitted a CCC plan to DDW in June 2025, outlining the implementation of its CCC program and compliance with the updated standards.

MICROPLASTICS MONITORING PROGRAM

In September 2022, DDW adopted a Policy Handbook for microplastics monitoring, which established a two-year monitoring phase of raw surface waters followed by a two-year monitoring phase for treated water. Valley Water will be required to conduct source water monitoring and has already received DDW approval for its monitoring plan. DDW continues to refine the program and, as of the end of 2025, has not yet issued monitoring orders to water systems.

MANGANESE REVISED NL AND RL

In September 2025, DDW proposed revisions to the Notification Level (NL) and Response Level (RL) for manganese, lowering the NL from 500 µg/L to 50 µg/L and to the RL from 5,000 µg/L to 200 µg/L. These proposed revisions were presented to the State Water Resources Control Board on October 7, 2025. As of the end of 2025, DDW has not taken final action to implement the revised NL and RL. Because Valley Water maintains an internal manganese goal that is well below the proposed revised NL, staff anticipate minimal operational impact.

AB149 – INVASIVE MUSSELS

In October 2024, golden mussels were discovered in the Sacramento-San Joaquin Delta, marking the first known occurrence of this invasive species in North America. In response, Governor Newsom signed Assembly Bill (AB) 149 into law On September 17, 2025. This budget trailer bill includes provisions addressing invasive mussels, including golden mussels and appropriate \$20 million for prevention, control, and eradication efforts. The legislation also directs the Department

of Fish and Wildlife to implement measures to prevent invasive mussel infestations and respond to any occurrences.

At the federal level, legislation addressing golden mussel infestation is also under consideration. In October 2025, Valley Water staff completed a vulnerability assessment of agency infrastructure and began implementing mitigation strategies.

FUTURE REGULATIONS

EPA plans to propose revisions to the existing Microbial and Disinfection Byproduct Regulations in 2027. While the scope of the proposed changes is not yet known, they could have significant implications for Valley Water and its retail partners. Staff are closely tracking these regulations and will be prepared to implement appropriate solutions as more information becomes available.

In California, the Office of Environmental Health Hazard Assessment has proposed a non-enforceable Public Health Goal for 1,4-dioxane, representing the first step toward establishing an enforceable MCL. Although staff do not anticipate impacts to existing sources, a future MCL for 1,4-dioxane could have implications for non-potable water reuse.

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
BC-26-0007	01/29/26	01/29/26	All	ALEX TARA	Email from Alex Tara, dated 1/29/26, asking about vegetation research at reservoirs.	Refer to Staff	Baker	Williams	02/06/26	-	n/a	02/12/26

From: [Alex Tara](#)
To: [Board of Directors](#)
Subject: Reservoirs vegetation
Date: Wednesday, January 28, 2026 10:35:32 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Hi there

I Read an article about sj water environment achievements. That got me thinking about Los capitancilos reservoirs near my house. That's my favorite walk where I see lots of ducks and other birds including bald eagles! I was saddened to see lots of trees cut down around reservoirs and all vegetation cleared. Nowadays ducks and geese are all exposed No cattails to hide ducklings from predators.

Do you know if any research was done before clearing vegetation? According with research it's beneficial to keep some vegetation on reservoirs:

Water reservoirs are generally better with managed vegetation, such as native trees and cattails, rather than being completely cleared. Vegetated buffers filter pollutants, reduce nutrient loading that causes algae blooms, stabilize shorelines against erosion, and provide essential habitat

. However, excessive, overgrown vegetation can negatively impact water quality, cause stagnation, and damage dam structures.

Same as our bay is much clearer with marshes filtering the water.

Thank you for reading this

I wish Valley Water would include nature protection to the plans

Alex

From: [Candice Kwok-Smith](#)
To: [Board of Directors](#)
Subject: FW: Valley Water/Granada Gate meeting notes 1/30/26 Aaron Baker & team w/ John Kenevey
Date: Tuesday, February 3, 2026 10:19:26 AM

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Aaron,

Thank you for taking the time to meet with me yesterday at the Granada Way gate of the Rinconada Treatment Plant.

The intent of this email is to document the conversation we had.

Participants: Aaron Baker, Michael Potter, Brandon Ponce, Aimee Green (another man whose name I did not get).

Note: Emmanuel Aryee did not show up.

Context: I have been asking Valley Water leadership for years what the building plans are for the area at Granada Way gate. I applied more pressure in October of '25 as none of my prior requests were answered. On January 30th 2026, four months after applying pressure, I was told that an out-of-scope, out-of-budget, non-regulated water capture pond is being built 20-30 feet from my house. No communication was sent to me, the community nor the town of Los Gatos.

Meeting minutes

- John meets the team.
- I pointed out that the construction team spent the morning of the 30th cleaning

the site to make it presentable, presumably for management. The site's normal state is that of a 'pig sty,' which is what I live with every day. These are the games that Mr. Aryee and his team play; his instinct is self-preservation in front of management.

- The team suggested we tour the project. I pushed back and said I need an explanation of what is been built not a tour.
- Mr. Baker relayed to me that Valley Water is building a massive water capture pond to manage runoff.
- I told the team that for nine years (2015-2024, I was informed (fully documented) there were no plans or budget to build anything on the site. The water capture pond is out of scope and out of budget. This is a great example of why this project will run for 15 years instead of 5; the scope and budget creep are part of the same grift.
- I told the team that the pond is likely toxic.
- I told the team that this is now a board level issue and they will have to resolve with the Town of Los Gatos how this dereliction of duty occurred.
- I asked the team when the project will be completed. the answer is **February 26th, 2026.**
- I told the team that I want the project shut down and the Granada Way gate retired.
- I asked how the Town of Los Gatos was informed; The answer is they were not informed.
- The team stated they wanted to move forward and work with me on a communication plan. I informed them that we are past that point but I agree that they need a community communication plan going forward.
 - I'll note, ironically this is the same team that has avoided contacting me for **four months**, avoided telling me what the project is, and avoided telling the community what the project is - this is all after I sent board and C-suite communications requesting that very information.
- At this point I requested to speak with Aaron Baker one-on-one, but Michael Potter joined, making it a two-on-one meeting.
- In the two on one I informed Mr. Baker that Emmanuel Aryee needs to be removed due to his mismanagement of the project and his incompetence in completing it.
- I stated that in 2026, I will work with the board to remove the CEO who is on leave, the interim CEO, and the co-CEO. This removal is necessary as Valley Water's operational dysfunction is due to leadership's dysfunction.
- I asked Mr. Potter about the voicemail he left me stating that all required

regulatory and permit provisions were met for this project. I asked how he could make that statement since he didn't know what the project was (until I presume he was prepped for the meeting with me). I think the response was something like: he oversees many compliant projects.

- Mr. Ponce had joined us by this point, so I asked him what permits were issued and what regulatory provisions were met. Mr. Ponce stated that no permits were issued and that the legacy regulatory provision with its addendum covered this project. **I stated that the initial regulatory provision, issued in 2015, with its addendum is invalid, and Mr. Ponce agreed.**
- Mr. Ponce then informed me that there is also a fence replacement and landscaping project & asked if that can be done in parallel to the water pond. I agreed. I have no context for this project.
- **Actionable:** Going forward Mr. Baker committed to instituting a communication plan with me and the community.
 - My expectation is that by the **close of business on Monday, February 2nd, '26**, Mr. Baker or his delegate will send me a communication containing a project description, a project timeline and a community impact statement. Aaron you are directly on point to get this task completed. If I don't see said communication I will call you.
 - I expect a second communication detailing the fence and landscaping project, the completion time, and a community impact statement by the close of business on Monday, February 2, 2026.
 - My expectation is that by end of next week, February 6th 2026, a communication will be sent regarding the additional work on the other ponds, not directly in front of my house, the communication will include the project description, the project timeline (Mr. Ponce said it's a three-week effort.) and a community impact statement.
 - Going forward Mr. Baker committed to informing me of any and all work that will affect my home's habitability, allowing me to reorganize and reschedule my home-based business.

In general the conversation was congenial; however, my irritation was evident. It has been 11 years of lies, evasion and bullying by an institution that is dysfunctional and purposefully evades working with the community. A toxic pond now sits 20 to 30 feet from my house. There was no community consultation, no community consideration, no honest engagement and no environmental oversight.

Throughout the conversation the team referred to the work the plant performs: "providing clean water" for hundreds of thousands of people. I am sure that this is the internal mantra and culture that both leadership and management sell to Valley Water employees. The truth is that Valley Water is a dishonest actor that prioritizes process

over outcome, as exemplified by the following:

"On Financial Mismanagement and "Shams"

- **Regarding Bidding Processes:** In a 2015 investigative report by [San Jose Inside](#), then-Board Chair Gary Kremen described an urgent contracting process as a "**sham**", stating: "I think it was a sham that it was supposedly so urgent. We clearly had three more months on the bidding process."
- **On Transparency:** Kremen also criticized the agency's lack of openness, noting that "an agency in lockdown mode is not serving the public. Openness and transparency are paramount."

On Environmental and Community Impact

- **Regarding the Pacheco Dam Project:** Board Director Rebecca Eisenberg, a frequent critic of the agency's internal culture, claimed in 2025 that the district's legal counsel had "**concealed the fact that he lost BIG in the courts**" regarding lawsuits from environmental coalitions. She stated on [Medium](#): "I was not lying when I said that Valley Water was wrong, and the Stop the Pacheco Dam Coalition was right."
- **On Disregarding Resident Concerns:** Community activists opposing various projects have often expressed a sense of exploitation. For instance, in discussions regarding large-scale infrastructure in similar California water contexts, residents have noted that developers and agencies "**see us as easy to exploit**" and prioritize short-term gains over long-term sustainability.

On Legal and Ethical Failures

- **The 2017 Coyote Creek Flood:** Following a massive flood event, the agency faced severe criticism for failing to warn residents. A joint statement in 2022 eventually acknowledged an **\$8.25 million settlement** with affected residents who had alleged the agency was negligent in its infrastructure maintenance and communication.
- **Project "Pauses":** Critics have highlighted instances where Valley Water allegedly spent significant taxpayer funds on projects that were officially "paused." Eisenberg questioned: "I want to know why a million dollars was spent on a project that was paused?" and suggested this was part of a broader pattern of financial opacity.

Notable Lawsuits and Allegations

- **Pacheco Dam Expansion Project (2022–2025):**
 - **The Lawsuit:** *The Stop the Pacheco Dam Project Coalition, joined by the **Sierra Club** and the **Amah Mutsun Tribal Band**, sued Valley Water for claiming the project was "exempt" from the [California Environmental Quality Act \(CEQA\)](#).*
 - **The Ruling:** *In May 2023, a [Santa Clara County Superior Court judge ruled](#) that Valley Water **violated CEQA** by using "inapplicable exemptions" to avoid studying impacts on local wildlife, cultural sites, and ranchlands.*
 - **The Outcome:** *Following this legal defeat and skyrocketing costs (exceeding \$3 billion), the Valley Water Board voted in [August 2025 to suspend development](#) of the reservoir expansion.*

- **Coyote Creek Flood Negligence (2017–2022):**
 - **The Allegation:** *Over 200 residents sued Valley Water after a 2017 flood displaced 14,000 people. Plaintiffs argued the agency failed to properly maintain infrastructure and [neglected to warn communities](#) despite knowing a flood was imminent.*
 - **The Outcome:** *Valley Water eventually paid an [\\$8.25 million settlement](#) in 2022. Residents noted that a public trial would have exposed how the district [had not taken flood protection seriously](#).*

- **San Francisco Baykeeper Lawsuit (2022):**
 - **The Conflict:** *[San Francisco Baykeeper sued](#) the agency for failing to maintain adequate water flows and temperatures in Coyote Creek, which they argued was destroying local fish populations.*
 - **The Response:** *Valley Water's CEO called the suit a "smack in the face" to [environmental justice](#), claiming it would delay the [Anderson Dam Seismic Retrofit](#).*

Community Perspective on Dishonesty

Advocates often point to the "**notice of exemption**" as a tool of dishonesty, used to claim massive industrial activities - like drilling with helicopters and heavy trucks in sensitive areas - have "no impact" to avoid public scrutiny. Attorney Osha Meserve,

representing dam opponents, stated that Valley Water was ["cutting corners on the environmental review"](#) and ignoring the reality of the damage caused by their investigations."

Aaron, I appreciate you taking the time to meet, you seem very genuine. You agreed to provide communications regarding any work that will impact the habitability of my home - I expect you to live up to that commitment.

I've CC'ed two board members to keep them informed and signal that I will re-engage with them this quarter to set up an engagement model that drives accountability within the organization.

Sincerely,
John